

## A BILL TO BE ENTITLED

## AN ACT

establishing Uniform Standard Code approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical systems in mobile homes; to require a license to be issued by the State Highway Department to mobile home dealers and manufacturers engaged in business in this state; to require all mobile homes to bear a Seal of Certification of License issued by the State Highway Department; to provide for reciprocity; to provide for inspection; to establish fees and charges; to provide for enforcement and penalties; to provide for restrictions and placement of serial numbers; to provide for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. SHORT TITLE. This Act shall be known and may be cited as "Uniform Standards Code for Mobile Homes."

Section 2. DEFINITIONS. As used in this Act, unless the context requires a different definition:

(a) "mobile home" means a movable or portable dwelling, construction to be towed by a motor vehicle on its own chassis, over Texas roads and highways under special permit, connected to utilities, and designed without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit;

(b) "code" means the uniform standards code that meets the United States of America Standards Institute standards set up for mobile homes for electrical systems, plumbing and heating;

(c) "seal" means a device or insignia issued by the State Highway Department, certifying that a manufacturer or dealer has been licensed to do business in the State of Texas, to be displayed on the exterior of the mobile home;

(d) "dealer" means any person other than a manufacturer "as defined" who sells three or more mobile homes in any consecutive twelve month period;

(e) "manufacturer" means any person who manufactures mobile homes, and sells to dealers;

(f) "department" means the State Highway Department;

(g) "person" means a person, partnership, company, corporation, or association engaged in manufacturing or selling mobile homes.

Section 3. ESTABLISHMENT OF UNIFORM STANDARDS CODE.

(a) All plumbing, heating, and electrical systems installed in mobile homes manufactured more than six months after the effective date of this Act and sold or offered for sale in this state must meet the standards approved by the United States of America Standards Institute for the installation of plumbing, heating, and electrical systems in mobile homes and in Book A-119.1-1963, approved March 12, 1963, for mobile homes.

(b) The department may adopt and promulgate any changes in and additions to the standards referred to in Subsection (a) of this Section made by the United States of America Standards Institute or its successor.

(c) At least 30 days before the adoption or promulgation of any change in or addition to the standards set in Subsection (a) of this Section or under the authority of Subsection (b) of this Section, the department shall mail to all dealers and manufacturers licensed under this Act a notice including:

- (1) a copy of the proposed changes and additions; and
- (2) the time and place that the department will consider any objections to the proposed changes and additions.

(d) After giving the notice required by Subsection (c) of this Section, the department shall afford interested persons an opportunity to participate in the rule making through submission of written data, views or arguments with or without opportunity to present the same orally in any matter.

~~Section 4.~~ **ISSUE OF LICENSE AND SEALS.** Any manufacturer or dealer within or without this state shall apply for license to sell to licensed dealers or to the public of this state. A license may be issued when the requirements are met. Seals may be issued when applied for with affidavit certifying that any mobile home that a seal is attached to will be built at least equal to the code set out in Section 3. Any licensed dealer who has acquired a used mobile home without a seal may apply for a seal with an affidavit certifying that the unit was brought up to or meets the code.

~~Section 5.~~ **SEAL OF CERTIFICATION REQUIRED.** No person may sell or offer for sale in this state any mobile home manufactured more than six months following the effective date of this Act unless it bears a seal along with certification by manufacturer, or by dealer when a used unit originally sold out of this state and manufactured after effective date of this Act. A certificate certifying that such mobile home meets or exceeds the code with respect to plumbing, heating, and electrical systems established by this Act shall be displayed in the manner prescribed by the department. No person may manufacture in this state any mobile home more than six months following the effective date of this Act unless it bears a seal along with a certificate of certification certifying that such mobile home meets or exceeds the code with respect to plumbing, heating, and electrical systems established by this Act.

~~Section 6.~~ **RECIPROCITY.** If any other state has plumbing, heating and electrical codes for mobile homes at least equal to those established by this Act, the department, upon determining that such standards are being enforced by such other state, shall place such other state on a reciprocity list, which list shall be available to any interested person. Any mobile home which bears a seal of any state which has been placed on the reciprocity list may not be required to bear the seal of this state provided for in Section 5.

~~Section 7.~~ **FEES AND CHARGES.**

(a) A license issued by the department has a charge of \$50 per year renewable by the first of each calendar year.

(b) Seals, as provided for in this article, shall be furnished by the department, for which the applicant shall pay a fee of \$3 each. The manufacturer or dealer shall have the authority to affix such seal to any mobile home manufactured in conformity with the code established under the Act.

(c) All fees shall be paid to the department and deposited to the State Highway Fund to defray cost to administer this Act.

~~Section 8.~~ **CERTIFIED MOBILE HOME.** A mobile home which does not bear the seal herein provided for shall not be permitted to be offered for sale, or manufactured, by a dealer or manufacturer anywhere within the geographical limits of the State of Texas unless the mobile home is designated for delivery into a state that has a code that is in direct conflict with this Act.

~~Section 9~~, ADMINISTRATION OF ACT.

(a) The department is hereby charged with the administration of this Act. It shall make and amend, alter or repeal general rules and regulations of procedure for carrying into effect all provisions of this Act, and to prescribe means, methods, and practice to make effective such provisions.

(b) No person may interfere, obstruct or hinder an authorized representative of the department in the performance of its duty as set forth in the provision of this Act.

(c) The department through its authorized representatives may enter any place or establishment where mobile homes are manufactured, sold or offered for sale, for the purpose of ascertaining whether the requirements of this Act and the regulations of the department have been met.

~~Section 10~~. PENALTIES. Any person who violates or fails to comply with this Act shall be notified of the violation and instructed to correct the violation within 90 days. Should the person fail to make the necessary correction(s) within the specified time, a fine, not exceeding \$100 per day, shall be levied until such corrections are made.

~~Section 11~~. SERIAL NUMBER. A serial number shall be stamped on top of the draw bar or A-frame on the left hand side so that it may be easily read. It may not contain more than 15 digits. Any multiple units shall contain the same serial number with letters of the alphabet designating that each is a different separate unit. Starting with the letter "A", each additional unit shall be in alphabetical order. The letters shall be stamped at the end of the numbers.

~~Section 12~~. SEVERABILITY. If any provision of this Act or the application thereof to any person, company, association or circumstance is held invalid or unconstitutional, the remainder of the Act and application of such provision to other person, companies, associations or circumstances is not thereby rendered invalid or unconstitutional nor affected thereby.

~~Section 13~~. EMERGENCY CLAUSE. The fact that the present laws do not provide minimum standards for the manufacture and sale of mobile homes, and that such inadequacy in the laws imperils the health, safety, and welfare of the public who purchase such mobile homes, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Austin, Texas

Feb. 26, 1969

Hon. Ben Barnes  
President of the Senate

Sir:

We, your Committee on Transportation,  
to which was referred S B. No. 153, have had the same  
under consideration, and I am instructed to report it back to  
the Senate with the recommendation that it do \_\_\_\_\_  
pass \_\_\_\_\_ and be \_\_\_\_\_ printed.

Gale  
Chairman

CAS

By: Christie

S. B. No. 153

*Chapter 191, Act 1967*  
A BILL TO BE ENTITLED:

*a*  
AN ACT  
*for mobile homes*  
establishing Uniform Standard Code approved by the  
United States of America Standards Institute for installation of  
plumbing, heating, and electrical systems in mobile homes; to  
require a license to be issued by the *Bureau of Labor Statistics* ~~State Highway Department~~ to  
mobile home dealers and manufacturers engaged in business in this  
state; to require all mobile homes to bear a Seal of Certification  
of License issued by the *Bureau of Labor Statistics* ~~State Highway Department~~; to provide for  
reciprocity; to provide for inspection; to establish fees and  
*and to provide for their descriptions*  
charges; to provide for enforcement and penalties; to provide for  
restrictions and placement of serial numbers; to provide for  
severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. SHORT TITLE. This Act shall be known and may be  
cited as "Uniform Standards Code for Mobile Homes."

Sec. 2. DEFINITIONS. As used in this Act, unless the context  
requires a different definition:

(a) "mobile home" means a movable or portable dwelling  
*ad*  
construction to be towed by a motor vehicle on its own chassis, over  
Texas roads and highways under special permit, connected to  
utilities, and designed without a permanent foundation for  
year-round living. It may consist of one or more units that can be  
telescoped when towed and expanded later for additional capacity, or  
of two or more units, separately towable but designed to be joined  
into one integral unit;

(b) "code" means the uniform standards code that meets the  
United States of America Standards Institute standards set up for  
mobile homes for electrical systems, plumbing and heating;

*Bureau of Labor Statistics,*  
(c) "seal" means a device or insignia issued by the ~~State Highway Department~~, certifying that a manufacturer or dealer has been licensed to do business in the State of Texas, to be displayed on the exterior of the mobile home; \_\_\_\_\_

(d) "dealer" means any person other than a manufacturer "as defined" who sells three or more mobile homes in any consecutive twelve month period; \_\_\_\_\_

(e) "manufacturer" means any person who manufactures mobile homes, and sells to dealers; \_\_\_\_\_

*Bureau of Labor Statistics,*  
(f) "department" means the ~~State Highway Department~~; \_\_\_\_\_

(g) "person" means a person, partnership, company, corporation, or association engaged in manufacturing or selling mobile homes. \_\_\_\_\_

Sec. 3. ESTABLISHMENT OF UNIFORM STANDARDS CODE.

(a) All plumbing, heating, and electrical systems installed in mobile homes manufactured more than six months after the effective date of this Act and sold or offered for sale in this state must meet the standards approved by the United States of America Standards Institute for the installation of plumbing, heating, and electrical systems in mobile homes and in Book A-119.1-1963, approved March 12, 1963, for mobile homes. \_\_\_\_\_

(b) The department may adopt and promulgate any changes in and additions to the standards referred to in Subsection (a) of this Section made by the United States of America Standards Institute or its successor. \_\_\_\_\_

(c) At least 30 days before the adoption or promulgation of any change in or addition to the standards set in Subsection (a) of this Section or under the authority of Subsection (b) of this Section, the department shall mail to all dealers and manufacturers licensed under this Act a notice including: \_\_\_\_\_

(1) a copy of the proposed changes and additions; and \_\_\_\_\_

(2) the time and place that the department will consider any objections to the proposed changes and additions. \_\_\_\_\_

(d) After giving the notice required by Subsection (c) of this Section, the department shall afford interested persons an opportunity to participate in the rule making through submission of written data, views or arguments with or without opportunity to present the same orally in any matter. \_\_\_\_\_

Sec. 4. ISSUE OF LICENSE AND SEALS. Any manufacturer or dealer within or without this state shall apply for license to sell to licensed dealers or to the public of this state. A license may be issued when the requirements are met. Seals may be issued when applied for with affidavit certifying that any mobile home that a seal is attached to will be built at least equal to the code set out in Section 3. Any licensed dealer who has acquired a used mobile home without a seal may apply for a seal with an affidavit certifying that the unit was brought up to or meets the code. \_\_\_\_\_

Sec. 5. SEAL OF CERTIFICATION REQUIRED. No person may sell or offer for sale in this state any mobile home manufactured more than six months following the effective date of this Act unless it bears a seal along with certification by manufacturer, or by dealer when a used unit originally sold out of this state and manufactured after effective date of this Act. A certificate certifying that such mobile home meets or exceeds the code with respect to plumbing, heating, and electrical systems established by this Act shall be displayed in the manner prescribed by the department. No person may manufacture in this state any mobile home more than six months following the effective date of this Act unless it bears a seal along with a certificate of certification certifying that such \_\_\_\_\_

mobile home meets or exceeds the code with respect to plumbing, heating, and electrical systems established by this Act.\_\_\_\_\_

Sec. 6. RECIPROCITY. If any other state has plumbing, heating and electrical codes for mobile homes at least equal to those established by this Act, the department, upon determining that such standards are being enforced by such other state, shall place such other state on a reciprocity list, which list shall be available to any interested person. Any mobile home which bears a seal of any state which has been placed on the reciprocity list may not be required to bear the seal of this state provided for in Section 5.\_\_\_\_\_

Sec. 7. FEES AND CHARGES.

(a) A license issued by the department has a charge of \$50 per year renewable by the first of each calendar year.\_\_\_\_\_

(b) Seals, as provided for in this article, shall be furnished by the department, for which the applicant shall pay a fee of \$3 each. The manufacturer or dealer shall have the authority to affix such seal to any mobile home manufactured in conformity with the code established under the Act.\_\_\_\_\_

*full*  
*1*  
(c) All fees shall be paid to the department and deposited <sup>in</sup> ~~to~~ *General Revenue Fund of the State of Texas* the State Highway Fund to defray cost to administer this Act.\_\_\_\_\_

Sec. 8. CERTIFIED MOBILE HOME. A mobile home which does not bear the seal herein provided for shall not be permitted to be offered for sale, or manufactured, by a dealer or manufacturer anywhere within the geographical limits of the State of Texas unless the mobile home is designated for delivery into a state that has a code that is in direct conflict with this Act.\_\_\_\_\_



Sec. 9. ADMINISTRATION OF ACT.

(a) The department is hereby charged with the administration of this Act. It shall make and amend, alter or repeal general rules and regulations of procedure for carrying into effect all provisions of this Act, and to prescribe means, methods, and practice to make effective such provisions.\_\_\_\_\_

(b) No person may interfere, obstruct or hinder an authorized representative of the department in the performance of its duty as set forth in the provision of this Act.\_\_\_\_\_

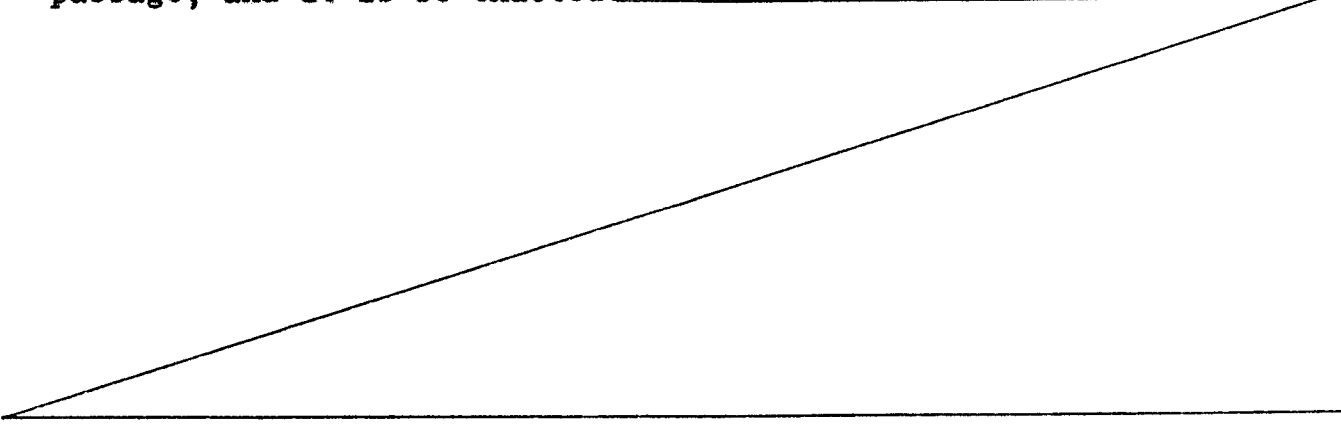
(c) The department through its authorized representatives may enter any place or establishment where mobile homes are manufactured, sold or offered for sale, for the purpose of ascertaining whether the requirements of this Act and the regulations of the department have been met.\_\_\_\_\_

Sec. 10. PENALTIES. Any person who violates or fails to comply with this Act shall be notified of the violation and instructed to correct the violation within 90 days. Should the person fail to make the necessary correction(s) within the specified time, a fine, not exceeding \$100 per day, shall be levied until such corrections are made.\_\_\_\_\_

Sec. 11. SERIAL NUMBER. A serial number shall be stamped on top of the draw bar or A-frame on the left hand side so that it may be easily read. It may not contain more than 15 digits. Any multiple units shall contain the same serial number with letters of the alphabet designating that each is a different separate unit. Starting with the letter "A," each additional unit shall be in alphabetical order. The letters shall be stamped at the end of the numbers.\_\_\_\_\_

Sec. 12. SEVERABILITY. If any provision of this Act or the application thereof to any person, company, association or circumstance is held invalid or unconstitutional, the remainder of the Act and application of such provision to other person, companies, associations or circumstances is not thereby rendered invalid or unconstitutional nor affected thereby.\_\_\_\_\_

Sec. 13. EMERGENCY CLAUSE. The fact, that the present laws do not provide minimum standards for the manufacture and sale of mobile homes, and that such inadequacy in the laws imperils the health, safety, and welfare of the public who purchase such mobile homes, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.\_\_\_\_\_



FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date 3-19-69

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Gov. AFFAIRS & EFFICIENCY to whom was referred S. B. No. 153, have had the same under consideration and beg to report back with recommendation that it { do } pass, and be Not printed

Don Carver

Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

①  
Amendment to Senate Bill No. 153 by Hull

Amend Senate Bill No. 153 in the following manner:

1-7-4  
Sec. 2, sub-section (c) and (f) by deleting therefrom the words "State Highway Department" and substituting in lieu thereof the words "Bureau of Labor Statistics".

Sec. 7, sub-section (c) by deleting all of sub-section "c" and substituting the following:

Page 4  
(c) All fees shall be paid to the Department and deposited in the General Revenue Fund of the State of Texas.

DATE MAR 24 1969

READ AND ADOPTED

Dorothy Hallman  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

*By roll record vote*

AN ACT

establishing a Uniform Standards Code for Mobile Homes approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical systems in mobile homes; to require a license to be issued by the Bureau of Labor Statistics to mobile home dealers and manufacturers engaged in business in this state; to require all mobile homes to bear a Seal of Certification of License issued by the Bureau of Labor Statistics; to provide for reciprocity; to provide for inspection; to establish fees and charges and to provide for their disposition; to provide for enforcement and penalties; to provide for restrictions and placement of serial numbers; to provide for severability; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. SHORT TITLE. This Act shall be known and may be cited as "Uniform Standards Code for Mobile Homes."

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(a) "mobile home" means a movable or portable dwelling constructed to be towed by a motor vehicle on its own chassis, over Texas roads and highways under special permit, connected to utilities, and designed without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units, separately towable but designed to be joined into one integral unit;

(b) "code" means the uniform standards code that meets the United States of America Standards Institute standards set up for mobile homes for electrical systems, plumbing and heating;

(c) "seal" means a device or insignia issued by the Bureau of Labor Statistics, certifying that a manufacturer or dealer has been licensed to do business in the State of Texas, to be displayed on the exterior of the mobile home;

(d) "dealer" means any person other than a manufacturer "as defined" who sells three or more mobile homes in any consecutive twelve month period;

(e) "manufacturer" means any person who manufactures mobile homes, and sells to dealers;

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(b) The department may adopt and promulgate any changes in and additions to the standards referred to in Subsection (a) of this Section made by the United States of America Standards Institute or its successor.

(c) At least 30 days before the adoption or promulgation of any change in or addition to the standards set in Subsection (a) of this Section or under the authority of Subsection (b) of this Section, the department shall mail to all dealers and manufacturers licensed under this Act a notice including:

- (1) a copy of the proposed changes and additions; and
- (2) the time and place that the department will consider any objections to the proposed changes and additions.

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S. B. No. 153

\_\_\_\_\_  
Lieutenant Governor

\_\_\_\_\_  
Speaker of the House

I hereby certify that S. B. No. 153 passed the Senate on  
March 5, 1969, by the following vote: Yeas 28, Nays 1;  
March 26, 1969, Senate concurred in House amendments by a  
viva voce vote.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S. B. No. 153 passed the House on  
March 24, 1969, with amendments, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

6-12-69

Date

Signed

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5:00 PM O'CLOCK

JUN 12 1969

\_\_\_\_\_  
Secretary of State

S. B. No. 153 By: Christie  
Christie

A BILL  
TO BE ENTITLED

AN ACT establishing Uniform Standard Code approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical systems in mobile homes; to require a license to be issued by the State Highway Department to mobile home dealers and manufacturers engaged in business in this state; to require all mobile homes to bear a Seal of Certification of License issued by the State Highway Department; to provide for reciprocity; to provide for inspection; to establish fees and penalties; to provide for restrictions and placement of serial numbers; to provide for severability; and declaring an emergency.

FEB 11 1969

**FILED WITH THE SECRETARY OF THE SENATE**

FEB 11 1969 Read first time  
and referred to Committee  
on Transportation

FEB 27 1969 Reported favorably.

MAR 5 1969

Regular order of business and Senate Rule 110 and Sec. 5, Art. III of the Constitution suspended by vote of 29 Yeas, 0 Nays, to permit consideration.

MAR 5 1969

READ SECOND TIME  
AND ORDERED ENGROSSED

MAR 5 1969

Senate Rule 30 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 29 Yeas,  
0 Nays, to place bill on third  
reading and final passage.

MAR 5 1969

READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:

Yeas 28 Nays 1

Charles Schnabel  
Secretary of the Senate

3-5- 1969 Engrossed  
Essie McWhinnis  
Engrossing Clerk

143281  
By: Christie

281

S. B. No. 153

A BILL TO BE ENTITLED:

AN ACT establishing Uniform Standard Code approved by the United States of America Standards Institute for installation of plumbing, heating, and electrical systems in mobile homes; to require a license to be issued by the State Highway Department to mobile home dealers and manufacturers engaged in business in this state; to require all mobile homes to bear a Seal of Certification of License issued by the State Highway Department; etc., and declaring an emergency.

- 2-11-69 Filed with the Secretary of the Senate.
- 2-11-69 Read first time and referred to Committee on Transportation.
- 2-27-69 Reported favorably.
- 3- 5-69 Regular order of business and Senate Rule 110 and Sec. 5, Art. III of the Constitution suspended by vote of 29 Yeas, 0 Nays, to permit consideration.
- 3- 5-69 Read second time and ordered engrossed.
- 3- 5-69 Senate Rule 30 and Constitutional Rule (Sec. 32, Art. III) suspended by a vote of 29 Yeas, 0 Nays, to place bill on third reading and final passage.
- 3- 5-69 Read third time and passed by the following vote:  
Yeas 28, Nays 1.

Charles Schnabel, Secretary of the Senate

3- 5-69 Engrossed.

*Ernie M. Ginnis*  
ENGROSSING CLERK

MAR 6 1969

SENT TO HOUSE

SB 153

MAR 6 1969

Received from  
the Senate.

*Dorothy Hallman*

Chief Clerk, House of Representatives

READ 1st TIME  
AND REFERRED TO COMMITTEE ON

*Governmental Affairs &  
Efficiency*

MAR 10 1969

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 19 1969

REPORTED FAVORABLY

ORDERED NOT PRINTED

MAR 19 1969

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 24 1969

*amended*  
Read Second Time *Δ* and passed to  
third reading by vote *non-record vote*

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 24 1969

Constitutional  
Rule requiring bills to be read on  
three several days suspended by

A four-fifths vote.

Yeas *113* Nays *25*

*Dorothy Hallman*

Chief Clerk, House of Representatives

SENT TO THE SPEAKER

*✓* Read third time

and Passed

by following vote: *non-*

*record vote*

*Dorothy Hallman*

Chief Clerk  
HOUSE OF REPRESENTATIVES

MAR 24 1969

MOTION TO RECONSIDER THE VOTE BY  
WHICH *S.B. 153* WAS

APPROVED AND TO TABLE THE MOTION TO RECON-  
SIDER PREVAILED PASSED BY A *non-record* VOTE OF

MAR 24 1969

Unanimous consent granted to amend  
caption of House Bill No. *153* to  
conform to body of bill.

*Dorothy Hallman*

Chief Clerk, House of Representatives

MAR 25 1969

RETURNED \_\_\_\_\_

FROM HOUSE

*with amendment*

MAR 26 1969 ✓

Senate concurred in House amendments by viva voce vote. ✓